

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES,

Plaintiff,

-v-

No. 18 CR 445-LTS

DANTE MARTINEZ,

Defendant.

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ORDER

On November 27, 2023, at 2:30 p.m., the Court held a hearing to determine whether Mr. Martinez is mentally competent to undergo post release proceedings pursuant to 18 U.S.C. section 4241(d). At that time, for the reasons stated in the Federal Bureau of Prison's ("BOP") Competency to Stand Trial Evaluation, dated October 23, 2023, and as explained on the record of the hearing, the Court found, by a preponderance of the evidence, that Mr. Martinez was unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. The Court committed Mr. Martinez to the custody of the Attorney General and directed the Attorney General to hospitalize Mr. Martinez for treatment in a suitable medical facility in accordance with 18 U.S.C. section 4241(d) until his mental condition is so improved that he can understand the nature and consequences of the proceedings against him or such earlier date as determined in accordance with such provision of law. (Docket entry no. 101.)

The Court has received and reviewed the BOP's Forensic Evaluation, dated March 5, 2025, for Mr. Martinez (the "Evaluation"). The Evaluation has been provided to the

parties and filed under seal. The parties are hereby directed to meet and confer and to file a joint status letter by **March 13, 2025**, explaining their positions as to (1) whether they wish to be heard on the issue of an extension of the treatment period, or (2) whether they consent to a 120-day extension and a concomitant adjournment of the conference currently scheduled to occur on April 15, 2025.

SO ORDERED.

Dated: New York, New York
March 6, 2025

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge